

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**In re:
JULIANNE WILSON YOUNG and
RANDY YOUNG,
Debtors**

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**Case No. 19-33156
Chapter 13**

**MOTION TO CONVERT 7
BANKRUPTCY CASE TO A CHAPTER 13**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 20 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE EDUARDO V. RODRIGUEZ, Bankruptcy Judge:

COMES NOW, Julianne Wilson Young and Randy Young, the Debtors herein, and moves this Honorable Court convert this to a Chapter 7 case and in support thereof, respectfully states to the Court as follows:

1. On or about June 27, 2019, the Debtor filed a Voluntary Petition in Bankruptcy under Chapter 7.
2. Debtors' primary residence has some equity and Debtors are behind on their mortgage payments. Debtors would like to opportunity to become current on the mortgage arrears.
3. Debtor does have the disposable income to repay the unsecured debts.
4. The Debtor asks to court to convert this case. The Debtor has included the chapter 13 Plan, all schedules, Means Test and Declarations with this petition.
5. The conversion of this case will not delay or be prejudicial to any creditor.

WHEREFORE, Debtor prays this Court make and enter an Order:

- A. Converting this case to a Chapter 13, then
- B. Maintain/Reinstate the Automatic Stay
- C. Clear this case for any items pending.
- D. For such other and further orders as may be just and equitable in the premises.

Respectfully submitted,

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By: /s/Shelly M. Davis-Smith
Shelly M. Davis-Smith
State Bar No. 24050487
Email: SMS@davis-smithlaw.com
Attorney for Debtors

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing Notice of Appearance has been served either electronically or by United States First Class Mail on this 5th day of August, 2019 to the all parties and the affected creditors via the ECF system.

Janet S. Casciato-Northrup (via electronic notice or regular first class mail)
Chapter 7 Trustee
1201 Louisiana
28th Floor
Houston, Texas 77002

U.S. Trustee (via electronic notice or regular first class mail)
515 Rusk Street, Suite 3516
Houston, Texas 77002

/s/Shelly M. Davis-Smith
Attorney for Debtors